

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOSEPH A. COCHRAN, JR.,)
Plaintiff,) C.A. 06-697 JJF
v.)
J.B. HUNT TRANSPORT, INC.)
and JAMES W. REED,)
Defendants.)

PLAINTIFF'S RESPONSE TO DEFENDANTS'
MOTION TO COMPEL DISCOVERY RESPONSES

Plaintiff Joseph A. Cochran, Jr., by and through his undersigned attorney, hereby opposes Defendants' Motion To Compel Discovery Responses, as follows:

1. Plaintiff initially filed suit in the above-captioned matter in Superior Court of the State of Delaware in and for New Castle County on August 11, 2006.
2. On November 16, 2006, Defendants filed a Notice of Removal to have the matter removed to this Court.
3. Thereafter, on May 4, 2007, Plaintiff received Defendants' Interrogatories and Request for Production, which were served in the Superior Court of the State of Delaware in and for New Castle County.
4. To the best of his knowledge and belief, Plaintiff has never been served with discovery from Defendants which were served in this Court.
5. Plaintiff anticipates filing responses to Defendants' discovery requests within the time period allowed by the Rules of this Court once the Defendants' discovery requests have been properly served.

WHEREFORE, Plaintiff respectfully requests this Court enter the attached Order granting denying Defendants' Motion to Compel.

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Dated: October 29, 2007

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CERTIFICATE OF SERVICE

I, Timothy E. Lengkeek, Esquire, hereby certify that on October 29, 2007, I caused copies of Plaintiff's Response to Defendants' Motion to Compel Discovery Responses to be served on the following counsel, in the manner indicated below:

BY ELECTRONIC FILING AND HAND DELIVERY:

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ORDER

At Wilmington, this _____ day of November, 2007, upon consideration of Plaintiff's Response to Defendants' Motion to Compel, it is HEREBY ORDERED that Defendants' motion is DENIED.

UNITED STATES DISTRICT JUDGE